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# COMMONWEALTH OF VIRGINIA



## OFFICE OF THE GOVERNOR

### Executive Order 55

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#### **DECLARATION OF A STATE OF EMERGENCY DUE TO AN ECONOMIC CRISIS IN HENRY COUNTY AND THE CITY OF MARTINSVILLE**

On July 31, 2003, I verbally declared a state of emergency to exist due to the abrupt closure of a manufacturing plant in the Fieldale community of Henry County and the ensuing employment and economic crisis in Henry County and the City of Martinsville. The crisis was brought about by the announcement on July 30, 2003 by Pillowtex Corporation of its filing for Chapter 11 bankruptcy protection and its immediate closure of all plants nationwide. The loss of jobs directly impacts almost 1,000 families in the immediate area. The plant's closure also depletes resources needed to operate the county's Public Service Authority and drastically reduces the county's tax base.

The threat to the health and general welfare of the citizens of Henry County and the City of Martinsville required that state action be taken to assist in alleviating these conditions. I find that the potential effects of this economic crisis are of sufficient severity and magnitude to warrant disaster assistance by the Commonwealth to supplement the efforts and available resources of the localities in preventing or alleviating the loss, hardship, or suffering threatened or caused thereby, as defined in §44-146.16(5).

Therefore, by virtue of the authority vested in me by § 44-146.17 of the *Code of Virginia*, as Governor and as Director of Emergency Management, and by virtue of the authority vested in me by Article V, Section 7 of the Constitution of Virginia and subject always to my continuing and ultimate authority and responsibility to act in such matters, I hereby confirm, ratify, and memorialize in writing my verbal orders issued July 31, 2003, wherein I proclaimed that a state of emergency exists in Henry County and the city of

Martinsville and directed that appropriate assistance be rendered by agencies of both state and local governments to prevent and alleviate any conditions resulting from increased unemployment, loss of tax revenues and reduction of financial support for the delivery of basic public services, and to implement relief and recovery activities so as to alleviate impacted areas from the effects of these conditions insofar as possible.

All state agencies are directed to provide assistance in dealing with this emergency to the extent required by the Coordinator of Emergency Management in consultation with the Secretary of Public Safety, the State Health Commissioner, and others as required. I specifically direct the Departments of Health, Environmental Quality, and Housing and Community Development to provide technical assistance as requested by Henry County officials, officials of the City of Martinsville, and officials of the Fieldale Sanitary District.

In order to marshal all public resources and appropriate preparedness, response and recovery measures to meet this crisis and recovery from its effects, and in accordance with my authority contained in §44-146.17 of the Emergency Services and Disaster Laws, I hereby order the following prevention and restoration measures:

- A. The full implementation by agencies of the state and local governments of Volume I, Virginia Emergency Operations Plan (COVEOP) Basic Plan, July 1997, as amended, along with other appropriate state agency plans.
- B. Authorization for the Secretary of Commerce and Trade to activate the State Recovery Task Force to maintain a state-level capability to assist affected local governments during this economic crisis.
- C. Authorization for the Department of Emergency Management to implement the Commonwealth Emergency Relief to Localities Program, authorized by § 44-146.28(a), to assist eligible localities located in an area declared to be in a state of emergency but not declared to be a major disaster area for which federal assistance might be forthcoming.
- D. The activation, implementation and coordination of appropriate statewide and national mutual aid agreements and compacts, including the Emergency Management Assistance Compact, and the authorization of the State Coordinator of Emergency Management to enter into any other supplemental agreements, pursuant to §44-146.17 (5) of the *Code of Virginia*, to provide for the exchange of public utility, welfare, transportation and communications personnel, and equipment and supplies. The State Coordinator of Emergency Management is hereby designated as Virginia's authorized representative within the meaning of the Emergency Management Assistance Compact, §44-146.28:1 of the *Code of Virginia*.

- E. The implementation by public agencies under my supervision and control of their emergency assignments as directed in the COVEOP without regard to normal procedures pertaining to performance of public work, entering into contracts, incurring of obligations, or other logistical and support measures of the Emergency Services and Disaster Laws, as provided in §44-146.28 (b) of the *Code of Virginia*. Section 44-146.24 of the *Code of Virginia* also applies to the disaster activities of state agencies.

Upon my approval, the costs incurred by state agencies and other agents in performing mission assignments through the VEOC of the Commonwealth as defined herein and in §44-146.28 of the *Code of Virginia* in performing these missions shall be paid out of the sum sufficient appropriation for Disaster Planning and Operations contained in Item 47 of Chapter 1042, 2003 Virginia Acts of Assembly.

This Executive Order shall be effective today, and shall remain in full force and effect until June 30, 2004, unless sooner amended or rescinded by further executive order. Termination of the Executive Order is not intended to terminate any state federal-type benefits granted or to be granted due to injury or death as a result of service under this Executive Order.

Given under my hand and under the Seal of the Commonwealth of Virginia, this 31st day of July 2003.

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Mark R. Warner, Governor

Attest:

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Secretary of the Commonwealth